



Attorney General Jon Bruning

NEWS RELEASE

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Attorney General Bruning Announces 11th Annual Legislative Package

LINCOLN - Attorney General Jon Bruning today unveiled his 2013 legislative package that enhances criminal penalties and provides more protections for Nebraskans. This is the 11th legislative package announced by Bruning's office. In all, 36 of Bruning's legislative initiatives have been signed into law since 2003.

The first bill creates distinct offenses for voluntary and involuntary manslaughter. The second bill increases transparency by amending the Financial Data Protection and Consumer Notification of Data Security Breach Act. The third bill creates procedures to eliminate investment of public funds with companies associated with Iran. The final bill creates criminal offenses and penalties for disarming or attempted disarming of a peace officer.

Voluntary and Involuntary Manslaughter

The bill separates voluntary and involuntary manslaughter by making two distinct offenses. Current law does not provide separate penalties for intentionally taking someone's life and unintentionally causing the death of another. Currently, both criminal actions would be penalized as manslaughter, a Class III felony.

Under the bill, voluntary manslaughter is committed if a person intentionally causes the death of another in a sudden quarrel upon legally sufficient provocation. Voluntary manslaughter will be a Class II felony, carrying a possible penalty of one to 50 years in prison.

"When you kill someone intentionally, you should be penalized accordingly," said Bruning. "This bill addresses the intent behind acts of manslaughter and provides a more appropriate penalty for intentionally taking a life."

State Senator Scott Lautenbaugh of Omaha is sponsoring the bill.

"This bill lays strong statutory groundwork for prosecutors and gives juries a more straightforward definition when considering manslaughter cases," said Sen. Lautenbaugh.

Under the bill, a person commits involuntary manslaughter if he or she causes the death of another unintentionally while in the commission of an unlawful act. Involuntary manslaughter mirrors the existing penalty for manslaughter, a Class III felony. Class III felonies are punishable by one to 20 years in prison and/or a \$25,000 fine.

Consumer Protection

This bill increases transparency by creating oversight mechanisms regarding data security breaches.

Under the bill, businesses are required to notify the Attorney General's Office of data breaches involving Nebraskans. Currently, 17 states require companies to notify the state Attorney General's Office when data breaches occur.

"Every day, our office works to protect Nebraska consumers from the threat of identity theft and fraud," said Bruning. "This bill helps to ensure consumers are armed with the information they need in a timely manner."

State Senator John Murante of Gretna is sponsoring the bill.

"This bill provides a blueprint for businesses to follow," said Sen. Murante. "It also adds a layer of accountability—that is a good thing for Nebraskans."

State Sanctions on Iran

The bill aligns Nebraska with the federal government, 23 other states and the District of Columbia to bar investment of public funds in companies associated with Iran.

"Many major foreign companies still have considerable investments in Iran's energy sector," said Bruning. "State-level sanctions can make a substantive contribution to federal efforts to isolate and pressure Iran."

Under the bill, the Attorney General's Office will compile an annual list of scrutinized companies with links to Iran. The list will be provided annually to the Nebraska State Investment Officer to prevent future investment with listed companies.

State Senator Bill Avery of Lincoln is sponsoring the bill.

"Nebraskans depend on us to work for the protection and betterment of our state and nation," said Sen. Avery. "I'm proud to sponsor this bill and add Nebraska to the states actively working to protect our national security."

State sanctions are specifically authorized by federal law. The Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 was signed into law by President Obama on July 1, 2010.

Disarming an Officer

The bill creates criminal offenses and provides penalties for disarming or attempted disarming of a peace officer while in the performance of his or her duties.

"Taking an officer's weapon is a serious matter with potentially life-threatening consequences," said Bruning. "This bill acknowledges the risk involved in a disarming situation and establishes an appropriate penalty for the dangerous act."

Under the bill, intentionally or knowingly disarming an officer while in the performance of his or her duties will be a Class III felony offense. Class III felonies are punishable by one to 20 years in prison and/or a fine of \$25,000. Intentionally or knowingly attempted disarming of an officer while in the performance of his or her duties will be a Class IV felony. Class IV felonies are punishable by a maximum of five years in prison and/or a fine of \$10,000.

State Senator Colby Coash of Lincoln is sponsoring the bill.

"Currently, the act of disarming an officer is addressed by charges like resisting arrest or obstruction of an officer, both of which are misdemeanor charges," said Sen. Coash. "A misdemeanor charge is not appropriate for this level of threat."